

Applicant Initiated Interview Request Form

Application No.: 10/563,268 First Named Applicant: Hideo Nagai
Examiner: Pham, Long Art Unit: 2814 Status of Application: 2nd OA

Tentative Participants:

(1) Long Pham (2) Joe Price
(3) _____ (4) _____

Proposed Date of Interview: June 2, 2009 Proposed Time: 2:00 PM EST (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc.)	Claims / Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

See attached document for discussion of dependent claims.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant / Applicant's Representative Signature

Joseph W. Price

Typed/Printed Name of Applicant or Representative

25,124

Registration Number, if applicable

Examiner / SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.111 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.**
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hideo Nagai

Application No.: 10/563,268

Filed: January 4, 2006

For: SEMICONDUCTOR LIGHT
EMITTING DEVICE, METHOD OF
MANUFACTURING THE SAME AND
LIGHTING APPARATUS AND
DISPLAY APPARATUS USING THE
SAME

Patent Examiner: Pham, Long

Group Art Unit: 2814

Confirmation No.: 6407

May 29, 2009

Costa Mesa, California 92626

REQUEST FOR TELEPHONE INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests a telephone interview with regards to the allowed dependent Claims
12, 13, 34 and 35. Please see the following:

IN THE CLAIMS:

(12) 1. (Currently Amended) A semiconductor light emitting device having a luminous layer, comprising:

a light transmission layer disposed over a main surface of the luminous layer, and having depressions on a surface facing away from the luminous layer; and

a transmission membrane disposed on the light transmission layer so as to follow contours of the depressions, wherein

light from the luminous layer is irradiated so as to pass through the light transmission layer and the transmission membrane, wherein the transmission membrane contains a luminous substance that is excitable by the light from the luminous layer, the luminous layer is sandwiched between a plurality of layers and is disposed over the light transmission layer,

wherein the light transmission layer is made of a material having a refractive index that is substantially equal to a refractive index of the luminous layer and the material for the light transmission layer is selected from a group of GaN, SiC, and AlN.

(13) 1. (Currently Amended) A semiconductor light emitting device having a luminous layer, comprising:

a light transmission layer disposed over a main surface of the luminous layer, and having depressions on a surface facing away from the luminous layer; and

a transmission membrane disposed on the light transmission layer so as to follow contours of the depressions, wherein

light from the luminous layer is irradiated so as to pass through the light transmission layer and the transmission membrane, wherein the transmission membrane contains

a luminous substance that is excitable by the light from the luminous layer, the luminous layer is sandwiched between a plurality of layers and is disposed over the light transmission layer, wherein a reflective film is disposed on a surface of the luminous layer facing away from the light transmission layer.

(34). 31. (Currently Amended) A semiconductor light emitting device having a luminous layer, comprising:

a light transmission layer disposed over a main surface of the luminous layer, and having depressions on a surface facing away from the luminous layer; and

a transmission membrane disposed on the light transmission layer so as to follow contours of the depressions, wherein

light from the luminous layer is irradiated so as to pass through the light transmission layer and the transmission membrane, ~~wherein the light transmission layer is formed from at least a light transmission substrate; and~~

the luminous layer is sandwiched between a plurality of layers and is disposed over the light transmission ~~substrate~~ layer, wherein light transmission layer is made of a material selected from a group of GaN, SiC, and AlN having a refractive index that is substantially equal to a refractive index of the luminous layer.

(35). 31. (Currently Amended) A semiconductor light emitting device having a luminous layer, comprising:

a light transmission layer disposed over a main surface of the luminous layer, and having depressions on a surface facing away from the luminous layer; and

a transmission membrane disposed on the light transmission layer so as to follow contours of the depressions, wherein

light from the luminous layer is irradiated so as to pass through the light transmission layer and the transmission membrane, ~~wherein the light transmission layer is formed from at least a light transmission substrate, and~~

the luminous layer is sandwiched between a plurality of layers and is disposed over the light transmission ~~substrate~~ layer, wherein a refractive index that is substantially equal to a refractive index of the luminous layer, wherein a reflective film is disposed on a surface of the luminous layer facing away from the light transmission layer.

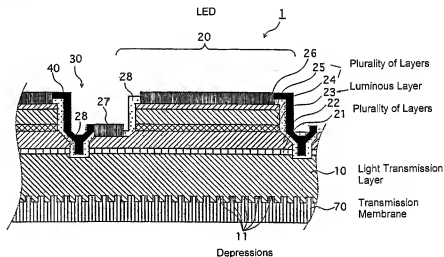
REMARKS

The Office Action indicated that Claims 12, 13, 34 and 35 would be allowed if rewritten in independent form.

In reviewing the claims, we noted a potential issue referring to both a light transmission layer and substrate. Applicant, accordingly, requests the comments of the Examiner on our proposed amendments to clarify the issue.

In this regard, the light transmission layer, which is over the main surface of the luminous layer, has a series of depressions 11 with a transmission member disposed on the light transmission layer, so as to follow the contours of the depressions. This is disclosed as follows:

FIG.2A



Our Specification, Page 3, Line 26 to page 4, Line 5 states as follows:

In order to achieve the above object, a semiconductor light emitting device having a luminous layer according to the present invention comprises a light transmission layer disposed over a main surface of the luminous layer, and having depressions on a surface facing away from the luminous layer, and a transmission membrane disposed on the light transmission layer so as to follow contours of the depressions, and light from the luminous layer is irradiated so as to pass through the light transmission layer and the transmission membrane.


Our original claims defined a light transmission layer with depressions, for example in Claim 1.

However, dependent Claim 9 defined the light transmission layer as “formed from at least a light transmission substrate.”

Applicant intends to consistently use the words “light transmission layer” to avoid any confusion and to give a proper scope to the claims and requests the Examiner’s advice on the currently proposed amended claims without the term --substrate--.

Very truly yours,

SNELL & WILMER L.L.P.



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